

**ENTERED**

August 22, 2022

Nathan Ochsner, Clerk

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

MARKETTA THOMAS, ON BEHALF OF §  
 THE ESTATE OF DANNY RAY THOMAS; §  
 DONALD WOODS, INDIVIDUALLY; §  
 ADENIKE THOMAS, INDIVIDUALLY; §  
 NAISHA BELL, AS NEXT FRIEND OF §  
 OF M.K. THOMAS, INDIVIDUALLY; §  
 DIANE TURNER, AS NEXT FRIEND OF §  
 B.D. TURNER, INDIVIDUALLY; §  
 NECOLE WEST, AS NEXT FRIEND §  
 OF D.R. THOMAS, (12), §  
 INDIVIDUALLY; DENISE MATTHEWS, §  
 AS NEXT FRIEND OF D.R. §  
 THOMAS, (3), INDIVIDUALLY; §  
 RONSHELL HAMPTON, AS NEXT §  
 FRIEND OF L.N. HAMPTON, §  
 INDIVIDUALLY, §

Plaintiffs, §

v. §

Civil Action No. H-18-1152

HARRIS COUNTY, TEXAS; §  
 CAMERON BREWER, §

Defendants. §

**FINAL JUDGMENT**

For the reasons stated in the Order on Defendants' Motions for Summary Judgment and Plaintiffs' Objections to the Magistrate Judge's Memorandum and Recommendation, separately signed this day, it is

ORDERED AND ADJUDGED that Plaintiffs Marketta Thomas, on behalf of the Estate of Danny Ray Thomas, Donald Woods, Individually, Adenike Thomas, Individually, Naisha Bell, as Next

Friend of M.K. Thomas, Individually, Diane Turner, as Next Friend of B.D. Turner, Individually, Necole West, as Next Friend of D.R. Thomas, (12), Individually, Denise Matthews, as Next Friend of D.R. Thomas, (3), Individually, and Ronshell Hampton, as Next Friend of L.N. Hampton, Individually, shall taking nothing on their Fourth and Fourteenth Amendment excessive force/due process claims against Defendant Cameron Brewer; and shall take nothing on all of their claims against Defendant Harris County, Texas; and all of the foregoing claims are DISMISSED WITH PREJUDICE. It is further

ORDERED that Plaintiffs' remaining state law claims for wrongful death, survival, negligence, and gross negligence (Counts 6, 7, 8, and 9 of Plaintiffs' Second Amended Complaint) are DISMISSED WITHOUT PREJUDICE. 28 U.S.C. § 1367(c).

Plaintiffs are reminded that the period of limitations to file their state claims in state court is tolled for a period of thirty (30) days after the claims are dismissed unless state law provides for a longer tolling period. 28 U.S.C. § 1367(d).

This is a **FINAL JUDGMENT**.

The Clerk will enter this Order, providing a correct copy to all counsel of record.

SIGNED at Houston, Texas, on this 22<sup>nd</sup> day of August 2022.

  
EWING WERLEIN, JR.  
UNITED STATES DISTRICT JUDGE